IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 976 of 2007(K)

CRIME NO.229/2006 OF CHAKKARAKKAL POLICE STATION

PETITIONER

K.P.FAIZAL, S/O.ABDULLA KUTTY,
AGED 28 YEARS, DRIVER BY PROFESSION, RESIDING
AT JASEELA HOUSE, PALLIPOYIL, P.O.MOWANCHERY,
KANNUR DISTRICT.

BY ADV. SMT.K.K.CHANDRALEKHA
SRI.SUDHEESH THAROL

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 976/2007

Dated this 27th day of February, 2007

O R D E R

The petitioner who is the fifth accused in Crime No.229/2006 of Chakkarakkal Police Station for an offence punishable under Section 395 IPC seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 4.15. p.m. on 27.11.2006, seven persons including the petitioner came in an Omini Van and assaulted the defacto complainant causing injuries to him and robbed him of cash worth Rs.42,000/-

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and seek regular bail thereafter.

5. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 5.3.2007 and 7.3.2007 for the purpose of

interrogation and recovery of incriminating materials if any. The petitioner shall thereafter be produced on the same day before the Magistrate having jurisdiction, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs